

Services for Victims and Witnesses

The staff of the Victim/Witness Assistance Center encourage you, as victims and witnesses, to cooperate in the investigation of your case and the prosecution of the offender. To help, we can provide these important services to you.

Crisis and Emergency Services

Our staff offer crime-related crisis counseling and, when necessary, emergency services: food, shelter, clothing, medical care and transportation.

Court Information

Dealing with the criminal justice system can be intimidating, confusing, and frustrating. Our personnel can explain your rights as a victim or witness and provide information about the process of the criminal justice system.

Court Support

Appearing in court can be intimidating and inconvenient. Our staff can help coordinate your scheduled appearance and let you know just what to expect. When needed, Victim/Witness advocates accompany victims, witnesses, and family members to court proceedings for support.

Referral Counseling

Our personnel are familiar with local, state, and national resources. We can provide specific information so you can get the help you need.

Property Return

In some criminal cases, personal property is held as evidence by law enforcement or by the court. We can help you get your property back after the case is concluded.

Employer Intervention

We can help your employer understand the emotional stress you may be experiencing as a crime victim, and we may intercede with him or her to explain why you must miss work for court and/or for other related reasons.

Restitution Assistance

If you have suffered a financial or property loss as a direct result of a crime, we can help you try to recover your loss by filing a Victim Impact Statement on your behalf with the court.

Credit Intervention

As a victim, your injuries or court appearances may affect your earnings. Our staff can intervene with creditors to explain your situation and encourage them to work with you.

Victim Compensation Claims

Victims, or their families, may be eligible for reimbursement through California's Victim of Crime Program for out-of pocket expenses resulting from a crime. Up to \$70,000 may be recovered for medical and hospital expenses, lost wages or support, funeral expenses, mental health counseling, and job retraining or rehabilitation. We will advise you on your eligibility for the program and help prepare and submit a claim to the state on your behalf.



SBDA Graphics

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As a victim of crime, You have the right to

- Be treated with dignity and compassion
- Be protected from intimidation and harm
- Be informed about the criminal justice system and the status of your case
- Be informed of social services and resources available in the community
- Have help in dealing with the system and be accompanied to court for support
- Have your opinions considered at the sentencing and parole phases of a criminal case
- Be compensated for injuries, wage loss, and funeral expenses

San Bernardino
316 N. Mt. View Ave.

Rancho Cucamonga
8303 Haven Ave.

**San Bernardino
Juvenile**
900 E. Gilbert St.

Fontana
17830 Arrow Hwy.

**San Bernardino
Police Department**
710 N. D St.

Morongo
6527 White Feather Rd.

Victorville
14455 Civic Dr.

**Ontario Police
Department**
200 N. Cherry Ave.

Barstow
235 E. Mt. View Ave.

**Colton Police
Department**
650 N. La Cadena Dr.



Guide to the Criminal Justice System

As a victim of, or a witness to , a crime, you are vital to the criminal justice process. **Without you, the system cannot work.**

The Victim/Witness Assistance Center can help you understand how the system works and keep you informed about your case. TO do this, however, we must have your current address and phone number and a way to reach you if you are going to be out of town.

This brochure is a guide to the process and to the terms you may encounter as your case moves through the system.

The Subpoena – Don’t Ignore It

A subpoena is a court order requiring you to be present at the time and place stated. You will receive your subpoena in person or by mail.

Court hearings do not always take place at the precise time scheduled. Calendar conflicts, the unavailability of a witness, or a legal motion may cause your case to be delayed (“continued”). Whenever possible, the deputy district attorney may place you on-call (“telephone standby”). This means that you may continue your normal routine, but you must be able to come to court immediately when called.

Your subpoena will show the type of hearing at which you are to appear. If you fail to appear, the judge may impose a fine or jail sentence. Be sure to bring your subpoena with you to court.

If the Case Is Postponed...

Sometimes a case will be postponed or “continued”. If a continuance is ordered *before* you appear in court, we will make every effort to let you know that you need not appear on the date listed on the subpoena.

If a continuance is sought *on the date you are scheduled to appear*, we may not be able to let you know in time. Even if a continuance does occur, your original subpoena is still in effect and you will be contacted with the new date and time for your appearance. We encourage you to call the Center and confirm the time you should be in court *before you go* to the courthouse.

The Court System

Two types of courts handle criminal matters: superior courts handle adult matters; and juvenile court hears proceeding when the accused is under the age of 18.

Misdemeanor Trial

In **Misdemeanor cases** there is no preliminary hearing, so your first appearance will be for the trial, your testimony will be required only once. (In many cases a trial is not conducted because the defendant plead guilty.)

The Preliminary Hearing

In **felony cases**, your first appearance will be at the preliminary hearing. This is not a trial, but it is a hearing at which the judge determines if there is sufficient evidence to require the defendant to stand trial in superior court.

Arraignment – Superior Court

After the defendant is “held to answer,” he/she will be arraigned again in superior court. You do not have to appear at the arraignment.

Felony Trial

California law requires that a defendant charged with a felony be brought to trial within 60 days of the filing of the Information or the Indictment in Superior Court, unless that right is

waived by the accused. Thus, in some cases, this time could extend to several months.

Witnesses must testify at the trial, even if they were thoroughly questioned at the preliminary hearing. In some cases, a trial will not be held because the defendant pleads guilty. When this happens, you will be notified that your testimony will not be required, and you will be released from your obligation under the subpoena to come to court.

Your Testimony

When you appear as a witness, you will be called to the witness stand by a deputy district attorney to testify about what you saw, heard, or did which may be relevant to the charges against the defendant. After the district attorney has asked the questions, the defense attorney has the right to test your memory of the facts, or to “cross-examine” you. You may be excluded from the courtroom when other witnesses are testifying. This is to ensure that the testimony or memory of one witness does not influence the testimony of another.

The Defense Attorney

The defense attorney may ask to speak with you to find out the nature of your testimony. There are no laws or rules prohibiting you from telling the defendant’s attorney or representative of the defense what your testimony will be. However, you are not required to do so. This is your decision. But feel free to discuss any of this with the deputy district attorney. If you choose to speak with the defense, you may wish to have another person present or tape record the interview to avoid later misquotations and misunderstandings.

Verdict and Sentencing

The jury will find the defendant either guilty or not guilty of the crime. If the accused is found guilty, a date will be set for sentencing, usually 28 days after the verdict.

At the sentence, you have the right to appear and make a statement about the effects of the crime on you and your family and about the punishment you feel appropriate for the defendant. This can be done in a written “Victim Impact Statement” or on audio or video tape to the court or probation department.

A Victim/Witness advocate may accompany you to court to support you during sentencing hearing.

The judge may impose one or more of the following sentences: state prison (felony cases only), county jail, probation, fine, restitution, or diversion. The judge may order a restitution fine or direct restitution to you.

If you have questions, please call
The Victim/Witness Services Program
Monday – Friday
8:00 a.m. – 5:00 p.m.

San Bernardino.....(909) 387-6540
San Bernardino
 Juvenile Office.....(909) 387-8665
San Bernardino
 Police Department....(909) 388-4900
Rancho Cucamonga.....(909) 945-4241
Fontana.....(909) 356-6406
Victorville.....(760) 243-8619
Barstow.....(760) 256-4802
Morongo.....(760) 366-5741
Colton Police
 Department.....(909) 370-5164
Ontario Police
 Department.....(909) 395-2713